

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re:

William Christopher Mallory,

Case No. 19-46707

Debtor.

Chapter 13

_____/ Hon. Thomas J. Tucker

**MICHIGAN DEPARTMENT OF TREASURY'S RESPONSE TO
DEBTOR'S OBJECTION TO ITS CLAIM**

The State of Michigan Department of Treasury (Treasury) through its attorneys Dana Nessel, Attorney General, and Moe Freedman, Assistant Attorney General, responds to Debtor's objection to its proof of claim as follows:

1. Debtor filed its petition under Chapter 13 of the Bankruptcy Code on May 1, 2019.
2. Treasury filed proof of claim #20 in the amount of \$12,095.13 that consisted of a priority claim in the amount of \$273.78 for individual income tax, and a general unsecured claim in the amount of \$11,821.35 that consists of \$8.35 for individual income tax, and \$11,813.00 for a

delinquent debt being collected by Treasury for the Michigan State Housing Development Authority.

3. On June 17, 2020 Debtor filed this objection, asserting that the debtor “has no knowledge of this debt nor does he believe he owes this”.

4. As noted on the sworn summary attached to the proof of claim, Treasury assessed this debt in on January 13, 2012 and sent multiple letters to the debtor outlining his responsibility for this debt and his opportunity to appeal the assessment.

5. Treasury sent the debtor a second letter entitled “Corrected Bill for Taxes Due” which made clear that Treasury was not attempting to collect on this debt during the Chapter 13.

6. Additionally, in 2017 debtor voluntarily entered into a payment plan with regard to this debt, and made voluntary monthly payments from November 2017 through April of 2019, only stopping at the commencement of this bankruptcy case.

Therefore, the State of Michigan, Department of Treasury, respectfully requests that Debtor’s objection to its claim be denied

Respectfully submitted,

Dana Nessel
Attorney General

/s/Moe Freedman
Moe Freedman (P74224)
Assistant Attorney General
3030 W. Grand Blvd.,
Suite 10-200
Detroit, MI 48202
Phone: (313) 456-0140

Dated June 22, 2020